

Exhibit 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY RAPP and C.D.,
Plaintiffs,
vs.
KEVIN SPACEY FOWLER a/k/a
KEVIN SPACEY,
Defendant.

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) Case No.
) 20-cv-9586 (LAK)
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VOLUME II
VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF
JUSTIN DAWES

Taken in behalf of Defendant

* * *

February 10, 2022
Brasilia, Brazil

Teresa L. Dunn,
Court Reporter
CSR, CCR, RPR

1 strike. My question, Mr. Dawes -- 03:30:40

2 A. You keep striking all my answers. It's 03:30:45

3 like okay. I don't understand how nonresponsive 03:30:48

4 is answering the question. You get to just 03:30:51

5 choose you don't want to use the answers that 03:30:55

6 you don't like? 03:30:57

7 Q. Objection, no question pending. 03:30:57

8 Mr. Dawes, did you or did you not tell 03:31:00

9 BuzzFeed that you were reluctant to share your 03:31:03

10 friend's identity because of his concerns for 03:31:05

11 privacy? 03:31:07

12 A. I did not. 03:31:08

13 Q. And you spoke with BuzzFeed in 2017, 03:31:09

14 correct? 03:31:14

15 A. I did. 03:31:14

16 Q. And when you shared -- strike that. 03:31:15

17 When Mr. Saghir asked for your friend's name you 03:31:22

18 also provided him with Mr. Brown's name, 03:31:24

19 correct? 03:31:28

20 A. That's correct. 03:31:28

21 Q. When was the first time you refused to 03:31:29

22 disclose Mr. Brown's name to anyone? 03:31:43

23 A. I believe it was during the course of 03:31:44

24 our last deposition when I felt your line of 03:31:48

25 questioning towards me was disrespectful and 03:31:52

1 harassing. And at that point I thought I would 03:31:55
2 try to keep my friend out of this if it was 03:31:58
3 possible because it's not a pleasant experience. 03:32:01

4 Q. Objection, nonresponsive. 03:32:03

5 Mr. Dawes, isn't it true that the first 03:32:06
6 time you refused to disclose your friend's name 03:32:08
7 to anyone was during the deposition when I asked 03:32:12
8 you questions, true? 03:32:14

9 A. Yeah, that's true. 03:32:15

10 Q. And, Mr. Dawes, you were deposed last 03:32:17
11 month in December of 2021, correct? 03:32:20

12 A. Uh-huh. 03:32:24

13 Q. And by the way, Mr. Dawes -- 03:32:24

14 A. And with the exception of that one thing 03:32:27
15 I've been entirely forthcoming and answered 03:32:30
16 every question which was put to me. 03:32:33

17 Q. Mr. Dawes, move to strike, 03:32:35
18 nonresponsive, no question pending. 03:32:37

19 Mr. Dawes -- 03:32:40

20 A. I have to drink every time you say that. 03:32:41

21 Q. Mr. Dawes, you sent me some of your 03:32:43
22 communications with Mr. Brown during the break, 03:32:52
23 correct? 03:32:57

24 A. Uh-huh, I did. 03:32:57

25 Q. During the last deposition we discussed 03:32:58

1 page 80 of your deposition and I asked you the 03:34:58
2 question, Okay, you wrote this email to them. 03:35:03
3 Do you still have this email. Your answer was 03:35:06
4 I'm sure I do. 03:35:08
5 Question: Will you provide that email 03:35:09
6 to us. And your answer was, Happily. 03:35:11
7 Did I read that correctly? 03:35:15
8 A. That's correct. 03:35:15
9 Q. Mr. Dawes, isn't it true that I asked 03:35:16
10 you to provide me with a copy of your email 03:35:19
11 exchange with BuzzFeed? 03:35:23
12 A. Yes, you did. 03:35:24
13 Q. And isn't it true that you agreed to do 03:35:25
14 so? 03:35:28
15 A. Uh-huh. 03:35:28
16 Q. Is that a yes? 03:35:29
17 A. Yes, it is. 03:35:30
18 Q. And isn't it true that I provided you 03:35:31
19 with a copy -- strike that. 03:35:34
20 Isn't it true I provided you with my 03:35:35
21 email address at the last deposition? 03:35:37
22 A. It is. 03:35:39
23 Q. That's true. And isn't it also true 03:35:39
24 that you did not provide me with a copy of the 03:35:41
25 Facebook exchange? 03:35:45

1 A. I wasn't aware that I was legally 03:35:47
2 compelled to do so. 03:35:51
3 Q. Okay. Understood, sir. That's not my 03:35:52
4 question. My question is isn't it true you did 03:35:54
5 not provide me with a copy of your Facebook 03:35:57
6 exchanges? Strike that. 03:36:00
7 Isn't it true, sir, that you did not 03:36:02
8 send me a copy of your email exchanges with 03:36:04
9 BuzzFeed magazine? 03:36:09
10 A. I believe it's been shared with you. 03:36:09
11 You have access to it. 03:36:11
12 Q. That's not my question, sir. My 03:36:12
13 question, Mr. Dawes, is isn't it true that you 03:36:14
14 did not provide me with a copy of your 03:36:16
15 Facebook -- strike that. 03:36:19
16 Isn't it true that you did not provide 03:36:21
17 me with a copy of your email exchanges with 03:36:24
18 BuzzFeed magazine? 03:36:27
19 A. I did not. 03:36:27
20 (Deposition Exhibit Number 143 marked 03:36:27
21 for identification.) 03:36:28
22 Q. (By Mr. Scolnick) I want to show you 03:36:28
23 another exhibit here, sir. I'm showing you 03:36:42
24 Exhibit 143. Mr. Dawes, I can represent to you 03:37:02
25 that Mr. Saghir provided me with a copy of this 03:37:12

1 exhibit yesterday. 03:37:19

2 So focusing on this exhibit is it true 03:37:23

3 that this is a copy of your email to BuzzFeed 03:37:25

4 magazine on October 31st, 2017? 03:37:29

5 A. That's what it appears to be, yes. 03:37:32

6 Q. And this email is to Adam Vary at 03:37:35

7 BuzzFeed, correct? 03:37:52

8 A. Indeed. 03:37:52

9 Q. In this email you describe your 03:37:59

10 allegations against Mr. Fowler, right? 03:38:01

11 A. I did not know him by that name at the 03:38:03

12 time, but, yes. 03:38:07

13 Q. Isn't it true, Mr. Dawes, that nowhere 03:38:08

14 in this email do you allege that Mr. Fowler 03:38:16

15 touched your leg? 03:38:21

16 A. Yes, that's true. 03:38:22

17 Q. Isn't it true that nowhere in this email 03:38:25

18 do you allege that Mr. Fowler touched you 03:38:29

19 anywhere? 03:38:31

20 A. Yes, that's true. 03:38:31

21 Q. Isn't it true that nowhere in this email 03:38:34

22 do you allege your friend, Mr. Brown, left you 03:38:38

23 alone in a room with Mr. Fowler? 03:38:41

24 A. Yes, that's true, but this is a -- this 03:38:43

25 is what, a four-short-paragraph summarized 03:38:49

1 overview of this event. 03:38:54

2 Q. Move to strike as nonresponsive. 03:38:57

3 Mr. Dawes, isn't it true, yes or no, 03:39:01

4 that you did not mention anywhere in this email 03:39:03

5 that Mr. Brown left you in a room alone with 03:39:07

6 Mr. Fowler? 03:39:11

7 A. No, I don't. 03:39:11

8 Q. That was a true statement, correct, that 03:39:15

9 you did not write that in this email? 03:39:17

10 A. I did not write that in that email. 03:39:19

11 Q. Isn't it also true that you did not 03:39:20

12 write in this email anywhere that your friend 03:39:24

13 warned you about Mr. Fowler? 03:39:27

14 A. I did not include that in that email. 03:39:28

15 Q. Isn't it also true that you did not 03:39:33

16 write in this email that Mr. Brown told you 03:39:39

17 Mr. Fowler was asking about you in 1989? 03:39:43

18 A. I mean, I didn't -- at the time, you 03:39:48

19 know, I wrote this email in about 10 minutes 03:39:51

20 based on what I -- you know, a recollection of 03:39:55

21 this event. 03:40:01

22 And I was giving someone just the kind 03:40:01

23 of salient big picture details of the event 03:40:05

24 after which, you know, I figured that they would 03:40:08

25 contact me and we would discuss it further. 03:40:11

1 Like at what point would I be putting 04:33:13
2 that in writing unless there was an 04:33:16
3 investigation going on into that based on 04:33:18
4 multiple prior accounts. 04:33:21

5 Q. Objection, nonresponsive, move to 04:33:25
6 strike. 04:33:27

7 Mr. Dawes, isn't it true that before 04:33:30
8 2017 you never communicated with anyone about 04:33:32
9 your allegations against Mr. Fowler in writing? 04:33:35

10 A. In writing, no, because I would never 04:33:39
11 have any reason to communicate them in writing. 04:33:43
12 I don't know who I would be expected to 04:33:47
13 communicate this to in writing. 04:33:50

14 Q. Objection, nonresponsive, move to 04:33:53
15 strike. 04:33:55

16 Mr. Dawes, it's a simple question, yes 04:33:56
17 or no, isn't it true that you did not 04:33:58
18 communicate with anyone about your allegations 04:34:01
19 against Mr. Fowler in writing before 2017? 04:34:03

20 Isn't that true? 04:34:06

21 A. No, I did not. I did not write any 04:34:07
22 written accounts of this incident of sexual 04:34:11
23 impropriety. 04:34:15

24 Q. Okay. You never kept a journal in which 04:34:17
25 you included anything about these allegations? 04:34:23

C E R T I F I C A T E

I, Teresa L. Dunn, a Certified Shorthand Reporter for Oregon, do hereby certify that, pursuant to stipulation of counsel for the respective parties hereinbefore set forth, JUSTIN DAWES appeared virtually before me at the time and place set forth in the caption hereof; that at said time and place I reported in Stenotype all testimony adduced and other oral proceedings had in the foregoing matter; that thereafter my notes were reduced to typewriting under my direction; and that the foregoing transcript, pages 1 to 105, both inclusive, constitutes a full, true and accurate record of all such testimony adduced and oral proceedings had, and of the whole thereof.

Witness my hand and CSR stamp at Vancouver, Washington, this 15th day of February, 2022.



TERESA L. DUNN,
Certified Shorthand Reporter
Certificate No. 00-0367
Expiration Date: 6/30/2023